

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

IN RE:

**PETER FELIX,
aka Peter Felix, III and wife,
MARINA FELIX,**

Debtors.

*
*
*
*
*
*
*

**CASE NO. 16-31028
CHAPTER 13**

**MOTION FOR EXTENSION OF AUTOMATIC STAY
PURSUANT TO §362(c)(3)(B)**

TO THE HONORABLE H. CHRISTOPHER MOTT, US BANKRUPTCY JUDGE:

Come now, **PETER FELIX** and wife, **MARINA FELIX**, Debtors herein, by and through their attorney of record, **ERIC M. MARTINEZ with the MARTINEZ LAW FIRM**, and file this Motion for Extension of Automatic Stay pursuant to 11U.S.C. §362(c)(3)(B), request an order extending the automatic stay as provided by 11U.S.C. §362(a) as to all creditors. In support of this motion, the Debtors state the following:

I.

The Debtors filed a petition under Chapter 13 on July 7, 2016 in cause number 16-31028.

II.

Mr. Peter Felix previously filed a Chapter 13 case on July 25, 2013 in cause number 13-31209. That case was dismissed (without prejudice) on June 17, 2016.

III.

The previous case was dismissed for failure to make plan payments.

IV.

Mr. Felix fell behind on his payments in his prior Chapter 13 due to a decline in business. The business has picked up and the income is steady now. The Debtors believe they will be able to make regular and timely plan payments.

V.

For these and other reasons the petition in this case has been filed in good faith. The Debtors believe sincerely that the Chapter 13 Plan that they have submitted will be confirmed and that they will be able to fully perform under the terms of their proposed plan.

VI.

The Debtor's prior Chapter 13 case, dismissed on August 31, 2015, was the only previous case pending by the Debtor during the preceding twelve (12) months.

VII.

In Mr. Felix's prior Chapter 13 case filed on July 25, 2013 there was a Motion for Relief filed by Nationstar Mortgage, LLC on March 18, 2015 and an Agreed Order was entered on June 8, 2015.

WHEREFORE, PREMISES CONSIDERED, Debtors pray that after Notice and a Hearing, the Court extend the automatic stay under 11U.S.C. §362(a) as to all creditors for the duration of this Chapter 13 proceeding, or until such time as the stay is terminated under 11U.S.C. §362(c)(1) or 11U.S.C. §362(c)(2), or a motion for relief is granted under 11U.S.C. §362(d).

DATED this the 6th day of July, 2016.

Respectfully submitted,

MARTINEZ LAW FIRM

/s/ Peter Felix
PETER FELIX, Debtor

/s/ Marina Felix
MARINA FELIX, Joint Debtor

/s/ Eric M. Martinez
ERIC M. MARTINEZ
SBN: 24034822
Attorney for Debtor
5601 Montana Ave., S-A
El Paso, TX 79925
Email: ericmartinez1@yahoo.com
(915) 490-0063 / Fax (915) 772-0257

CERTIFICATE OF SERVICE

I hereby certify that I have mailed/delivered a true and correct copy of the foregoing instrument to Mr. Stuart C. Cox, Chapter 13 Trustee, 1760 N. Lee Trevino, El Paso, TX 79936, to the US Trustee, P.O. Box 1539, 615 E. Houston St, Rm 343, San Antonio, TX 78295-1539, to the Debtors, Mr. & Mrs. Peter Felix, 11534 Jacquelin Ann, El Paso, TX 79936, and to all creditors listed herein on the attached matrix on this the 7th day of July, 2016.

/s/ Eric M. Martinez
ERIC M. MARTINEZ

Ahern
1401 Mineral Ave.
Las Vegas, NV 89106

Chase
201 N. Walnut St.
Wilmington, DE 19801

Marina Felix
11534 Jacquelin Ann
El Paso, TX 79936

Altair OH XIII, LLC
c/o Weinstein & Riley, PS
2001 Western Ave., S-400
Seattle, WA 98121

Chemical Transportation, Inc.
c/o Law Offices of Stephen Nick
1201 N Mesa, S-B
El Paso, TX 79902

Martinez Law Firm
5601 Montana Ave., Suite A
El Paso, TX 79925

American Express
c/o Becket & Lee, LLP
P.O. Box 3001
Malvern, PA 19355

Compass Bank
P.O. Box 10566
Birmingham, AL 35296

MB Fin Serv
P.O. Box 9223
Farmington, MI 48333

Antio, LLC
c/o Weinstein & Riley, PS
2001 Western Ave., S-400
Seattle, WA 98121

Crowson, Walker
Attorney at Law
725 S. Mesa Hills, B2, S-2
El Paso, TX 79912

Mercedes-Benz Financial Serv.
BK Servicing, LLC
P.O. Box 131265
Saint Paul, MN 55113

Ashley Funding Serv., LLC
Resurgent Capital Serv.
P.O. Box 10587
Greenville, SC 29603

Discover
P.O. Box 3025
New Albany, OH 43054

Miranda & Maldonado, PC
5915 Silver Springs Dr.
El Paso, TX 79912

Attorney General of the United States
Dept of Justice
950 Pennsylvania NW
Washington, DC 20530

El Paso Electric Co.
Attn: JJ Jimenez
100 N. Stanton St.
El Paso, TX 79901

Nationstar Mortgage
Attn: Bankruptcy Dept.
P.O. Box 619096
Dallas, TX 75261

Bain Construction
14160 Blair Dr.
El Paso, TX 79928

Grupo Arte Capital Corp
c/o Clyde A. Pine, Jr.
P.O. Box 1977
El Paso, TX 79950

Peter Felix
11534 Jacquelin Ann
El Paso, TX 79936

Bank of America
P.O. Box 982235
El Paso, TX 79998

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101

Portfolio Recovery Assoc
P.O. Box 12914
Norfolk, VA 23541

CACH, LLC
4340 S Monaco St Unit 2
Denver, CO 80237

Internal Revenue Service
Special Procedures Staff
Stop 5022 AUS, 300 E. 8th St.
Austin, TX 78701

Sears
P.O. Box 6189
Sioux Falls, SD 57117

Capital One
P.O. Box 71083
Charlotte, NC 28272

Linebarger, Goggan, Blair & Sam
711 Navarro, S-300
San Antonio, TX 78205

Security Credit Serv
P.O. Box 1156
Oxford, MS 38655

Tax Assessor/Collector
P.O. Box 2992
El Paso, TX 79999

TD Auto Finance
P.O. Box 551080
Jacksonville, FL 32255

Titlemax
12496 Montana Ave.
El Paso, TX 79938

United States Attorney
601 N.W. Loop 401, Suite 600
San Antonio, TX 78216

VW Credit, Inc.
National Bankruptcy Serv.
9441 LBJ Freeway, S-250
Dallas, TX 75243

Watson Law Firm
1123 E. Rio Grande
El Paso, TX 79902

Weinstein & Riley, PS
6785-4 Eastern Ave.
Las Vegas, NV 89119